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 12 202-532-4809/202-305-7000

13 UNITED STATES DISTRICT COURT  
 14 DISTRICT OF NEVADA

|                                |   |                              |
|--------------------------------|---|------------------------------|
| 15 ERIC KURTH, <i>et al.</i> , | ) | No. 2:11-cv-01638-JCM -PAL   |
|                                | ) |                              |
| 16 Plaintiffs,                 | ) | DEFENDANTS' UNOPPOSED MOTION |
|                                | ) | FOR AN EXTENSION OF TIME TO  |
| 17 v.                          | ) | ANSWER OR OTHERWISE RESPOND  |
|                                | ) | (FIRST REQUEST)              |
| 18 LEANDER HOLSTON, Field      | ) |                              |
| Director, Las Vegas, U.S.      | ) |                              |
| Citizenship and Immigration    | ) |                              |
| 19 Services, <i>et al.</i> ,   | ) |                              |
|                                | ) |                              |
| 20 Defendants.                 | ) |                              |
| _____                          | ) |                              |

21  
 22 Defendants, by and through their attorneys, Daniel G.  
 23 Bogden, United States Attorney for the District of Nevada,  
 24 Carlos A. Gonzalez, Assistant United States Attorney, and  
 25 Bradley Banias, Trial Attorney, United States Department of  
 26 Justice, respectfully request a thirty (30) day extension of

1 time, up to and including February 20, 2012, in which to file a  
2 responsive pleading to Plaintiffs' Complaint. In support of  
3 this request for an extension of time, Defendants rely upon the  
4 Memorandum of Points and Authorities attached hereto and  
5 incorporated herein.

6  
7 Dated: January 12, 2012

Respectfully submitted,

8 DANIEL G. BOGDEN  
United States Attorney

9  
10 //S// CARLOS A. GONZALEZ  
CARLOS A. GONZALEZ  
Assistant United States Attorney

11 TONY WEST  
12 Assistant Attorney General  
Civil Division  
13 ELIZABETH STEVENS  
Assistant Director - District Court Section  
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BRADLEY B. BANIAS  
15 Trial Attorney - District Court Section  
Office of Immigration Litigation  
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**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. BACKGROUND**

Plaintiffs filed their Complaint with the Court on October 11, 2011. The U.S. Attorney's Office was served on November 21, 2011, and as such, Defendants' response is due on January 20, 2012. Given the scope of Plaintiffs' factual and legal allegations, Defendants seek additional time to fully review and analyze Plaintiffs' allegations and to coordinate a complete response to each allegation. Defendants, therefore, request that this honorable Court grant a thirty (30) day extension of time, up to and including February 20, 2012, in which to file a responsive pleading to Plaintiffs' Complaint.

On January 11, 2011, undersigned counsel Bradley Baniass conferred with Mr. Michael Kimbrell, Plaintiffs' counsel, and he does not oppose this request for an extension of time.

**II. ARGUMENT**

The Federal Rules of Civil Procedure provide for an enlargement of time for cause shown.

When an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires . . . .

Fed. R. Civ. P., Rule 6(b)(1)(A).

1. Because Defendants need additional time to analyze Plaintiffs' allegations and coordinate a response amongst the different agency Defendants, Defendants request that this honorable Court grant a thirty (30) day extension of time, up

1 to and including February 20, 2012, in which to file a  
2 responsive pleading to Plaintiffs' Complaint.

3 2. This request is made prior to the expiration of the  
4 time to respond to Plaintiffs' Complaint.

5 3. On January 11, 2012, undersigned counsel Bradley  
6 Bantias spoke with Mr. Michael Kimbrell, Plaintiffs' counsel,  
7 and he does not oppose this request for an extension of time.

8 **III. CONCLUSION**

9 Therefore, Defendants respectfully request that this  
10 honorable Court grant a thirty (30) day extension of time, up  
11 to and including February 20, 2012, in which to file a response  
12 to Plaintiffs' Complaint.

13 Dated: January 12, 2012

Respectfully submitted,

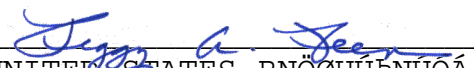
14 DANIEL G. BOGDEN  
15 United States Attorney

16 //S// CARLOS A. GONZALEZ  
17 CARLOS A. GONZALEZ  
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BRADLEY B. BANIAS  
21 Trial Attorney - District Court Section  
Office of Immigration Litigation  
22

23  
24 Dated: January 13, 2012

IT IS SO ORDERED.

25   
26 UNITED STATES DISTRICT COURT JUDGE